

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION

CLERK US DISTRICT COURT  
NORTHERN DIST. OF TX  
FILED

2016 DEC 30 PM 3:22

DEPUTY CLERK

*AC*

THOMAS E. PEREZ, Secretary of Labor,  
United States Department of Labor,

Plaintiff,

v.

NO. 2:16-CV-00049-J

CACTUS FEEDERS, INC.; LUBBOCK  
NATIONAL BANK; PAUL ENGLER;  
MICHAEL ENGLER; JACK RHOADES;  
JERRY MILLER; EUGENE LEMAN;  
BRADLEY HASTINGS; KEVIN  
HAZELWOOD; RONALD HARGIS; and  
CACTUS FEEDERS, INC. EMPLOYEE  
STOCK OWNERSHIP PLAN,

Defendants.

**ORDER**

Before the Court is *Defendants' Motion to Dismiss*, filed on November 14, 2016. Plaintiff filed a Response on December 20, 2016. After considering the Motion and Response, this Motion is DENIED.

IT IS SO ORDERED

Signed this the 30<sup>th</sup> day of December, 2016.

*Mary Lou Robinson*

MARY LOU ROBINSON  
UNITED STATES DISTRICT JUDGE